# REMARKS/ARGUMENTS

Claims 1-14 and 21-34 remain in this application.

I.    CLAIM REJECTIONS—35 U.S.C. § 103

Claims 1-14 and 21-34 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chauhan (hereinafter "Chauhan", 6,115,751) in view of Gaurijala et al (hereinafter "Gurijala", 6,601,090). This rejection is respectfully traversed.

Claim 1 appears as follows:

> 1.    A method, comprising:
>
> receiving a request from a user for a web page at a first web address, the first web address including a hostname;
>
> determining traffic loads of a plurality of mirrored customer web servers among a customer's plurality of web servers, each of the customer web servers storing the web page;
>
> determining a customer web server from the plurality of mirrored customer web servers that is appropriate for the request, the customer web server having a traffic load lower than traffic loads of remaining customer web servers from the plurality of mirrored customer web servers;
>
> determining an IP address of the customer web server;
>
> directing the request from the user to the customer web server;
>
> receiving a request from the user for static content on the web page at a second web address, the second web address including the hostname;
>
> determining service metrics of caching servers in a network of caching servers different from the customer's plurality of web servers;
>
> wherein a customer pays a fee to a service for use of the network of caching servers storing static content for the customer;
>
> determining a caching server from the network of caching servers that is appropriate for the request for static content, the caching server having service metrics better than service metrics of remaining caching servers from the network of caching servers;
>
> retrieving the static content from the caching server; and
>
> providing the static content to the user.

As discussed with the Examiner, the Office Action has overlooked the amendment made to Claim 1 in the previous reply. In particular, neither Chauhan nor Gurijala teach or disclose

determining service metrics of caching servers in a network of caching servers different from the customer's plurality of web servers as cited in Claim 1. The Office Action groups the customer's plurality of web servers with the network of caching servers. However, this is an incorrect interpretation of the wording of Claim 1. The Office Action points to Chauhan as teaching such as system, however, Chauhan only discusses a set of mirrored servers which is clearly differentiated from the plurality of mirrored customer web servers among a customer's plurality of web servers and the network of caching servers as cited in Claim 1. Chauhan does not contemplate what the Office Action states.

Additionally, Gurijala does not teach or disclose such features as Gurijala discloses an intranet caching system that resides in the company's intranet and caches Internet content requested by intranet web clients. As with Chauhan, Gurijala makes no distinction between its cache servers as all of its cache servers are interconnected to the intranet (col. 3, line 50-col. 5, line 6). Therefore, Gurijala does not contemplate determining service metrics of caching servers in a network of caching servers different from the customer's plurality of web servers.

Neither Chauhan nor Gurijala make any disctinction between a customer's plurality of web servers and a network of caching servers different from the customer's plurality of web servers. Therefore, neither reference contmeplates determining traffic loads of a plurality of mirrored customer web servers among a customer's plurality of web servers, each of the customer web servers storing the web page, determining a customer web server from the plurality of mirrored customer web servers that is appropriate for the request, the customer web server having a traffic load lower than traffic loads of remaining customer web servers from the plurality of mirrored customer web servers, determining an IP address of the customer web server, wherein a customer pays a fee to a service for use of the network of caching servers storing static content for the

customer, determining a caching server from the network of caching servers that is appropriate for the request for static content, the caching server having service metrics better than service metrics of remaining caching servers from the network of caching servers, and retrieving the static content from the caching server as cited in Claim 1.

The Office Action's rationale for combining Chauhan and Gurijala is illogical in that the reasoning "… to incorporate the use of Gurijala's cache servers into Chauhan's system as this would further enhance Chauhan's system to lessen load and traffic and charges/fees on mirror sites …", is flawed because combining Chauhan and Gurijala would result in Chauhan's servers serving mirrored content and Gurijala's servers, in a company's intranet, caching Internet content requested by intranet web clients. This contradicts the Office Action's hypothesis that Chauhan discloses both customer web servers and a network of caching servers.

Applicants further note that the Office Action cites on page 4 that Gurijala teaches the use of proxy/caching servers to serve static content from a host to users. However, Gurijala makes no mention of caching static content, but rather all content (objects).

Applicant would also like to note that the Office Action on page 8 fails to show any prior art showing a customer paying a fee to a service for use of the network of caching servers storing static content for the customer.

Therefore, Chauhan in view of Gurijala does not teach or disclose the invention as claimed.

Claims 1 and 8 are allowable. Claims 21 and 28 are apparatus claims of Claims 1 and 8, respectively, and are similarly allowable. Claims 2-7, and 9-14, and 22-27, and 29-34, are dependent upon independent Claims 1, 8, 21, and 28, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

II.    CONCLUSION

Applicants respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.

The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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